

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND  
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.  
*See* Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

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COURT OF APPEALS  
DIVISION TWO

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION TWO

THE STATE OF ARIZONA,	)	2 CA-CR 2010-0173
	)	DEPARTMENT B
Appellee,	)	
	)	<u>MEMORANDUM DECISION</u>
v.	)	Not for Publication
	)	Rule 111, Rules of
AARON LAMONT WILMORE,	)	the Supreme Court
	)	
Appellant.	)	
_____	)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20083917

Honorable Deborah Bernini, Judge

AFFIRMED

\_\_\_\_\_  
John William Lovell

Tucson  
Attorney for Appellant

\_\_\_\_\_  
E C K E R S T R O M, Judge.

¶1 After a jury trial, appellant Aaron Wilmore was convicted of armed robbery and aggravated robbery, both dangerous-nature offenses, and assault. The trial court sentenced him to mitigated, concurrent terms of imprisonment on the robbery convictions, the longer of which is seven years, and to time served for the assault conviction. Counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App.1999), avowing he has reviewed the record and found no arguable question of law to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, he has provided “a detailed factual and procedural history of the case with citations to the record,” and asks this court to search the record for fundamental error. Wilmore has not filed a supplemental brief.

¶2 We conclude substantial evidence supported the jury’s verdicts. See A.R.S. §§ 13-1203(A)(2), 13-1902, 13-1903, 13-1904; see also *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999) (evidence viewed in light most favorable to sustaining jury verdict). In sum, Wilmore was hiding behind the passenger side of Vicki F.’s car while she was retrieving items from the back seat and another man came up behind her, pointed a gun at her left side, and demanded her car keys. Shortly after the two men stole Vicki’s vehicle, it was stopped by a Tucson police officer, and Wilmore and the other man fled on foot, leaving behind Wilmore’s cellular telephone and dropping a glove containing deoxyribonucleic acid (DNA) evidence that matched Wilmore’s DNA

profile. In addition, Wilmore’s sentences were within the range authorized and were imposed in a lawful manner. *See* A.R.S. § 13-704(A).<sup>1</sup>

¶3 In our examination of the record pursuant to *Anders*, we have found no fundamental or reversible error and no arguable issue warranting further appellate review. *See id.* at 744. Accordingly, we affirm Wilmore’s conviction and sentence.

/s/ Peter J. Eckerstrom

PETER J. ECKERSTROM, Judge

CONCURRING:

/s/ Garye L. Vásquez

GARYE L. VÁSQUEZ, Presiding Judge

/s/ Joseph W. Howard

JOSEPH W. HOWARD, Judge

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<sup>1</sup>The Arizona criminal sentencing code has been renumbered, effective “from and after December 31, 2008.” *See* 2008 Ariz. Sess. Laws, ch. 301, §§ 119-20. For ease of reference and because no changes in the statutes are material to the issues in this case, *see id.* § 119, we refer in this decision to the current section number rather than the one in effect when Wilmore committed these offenses.